

Remarks

Claims 1-20 are pending in the application and the same are rejected. By this amendment, claims 1, 5, 7, 8, 12, 15, and 20 are amended. Accordingly, claims 1-20 remain in the application and are presented for review and further consideration by the Examiner.

The Examiner has rejected claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over Otsuka et al., U.S. Patent No. 6,201,771. (Examiner's Action, page 2, ¶ 2). The Examiner states that Otsuka discloses every element of each of Applicant's rejected claims except that the computer in Otsuka is not disclosed to be a mobile computer. The Examiner also states that mobile computers are well known and that it would be obvious to one skilled in the art that the computer used in Otsuka could be mobile.

Applicant respectfully disagrees.

Otsuka discloses "a content providing system in which many unspecified people arbitrarily use it to obtain (purchase) a recording medium in which desired content has been downloaded." (Otsuka col. 1, line 67 - col. 2, line 3). As described here and throughout Otsuka, Otsuka discloses a system for providing content to the public or at least some section of the public.

Having a mobile computer in place of the computer of Otsuka would require the computer be able to be moved about and taken from place to place by someone. This is clearly not the intended use of the system of Otsuka. It is clearly the intended use of Otsuka that the computer be stationary so as to be accessible by the public. Having a mobile computer in place of the computer in Otsuka would defeat the purpose of the system of Otsuka. Therefore, it would not be obvious to one skilled in the art to replace the computer of Otsuka with a mobile computer.

Additionally, Applicant has amended independent claim 1 to clarify the separate nature of the mobile computer from the output apparatus and to clarify the roles of each device.

Otsuka discloses the content providing system being a computer with possible hardcopy output capabilities or connections to an output apparatus. Otsuka does not disclose an output apparatus, separate from the mobile computer, discovering payment account information. It is the computer in Otsuka that discovers the

payment account information, not the output apparatus. Additionally, if the computer in Otsuka is considered the output apparatus and the computer is considered the mobile computer, then the output apparatus of Otsuka, which discovers the payment account information, is not separate from the mobile computer from which an electronic document is received.

Furthermore, Otsuka does not disclose the output apparatus, which has already been restricted to a device separate from the mobile computer, determining a price for accepting the electronic document and transferring the electronic document to print media. It is the computer in Otsuka that determines the price, not the output apparatus. Additionally, if the computer in Otsuka is considered the output apparatus and the computer is considered the mobile computer, then the output apparatus of Otsuka, which determines the price, is not separate from the mobile computer from which an electronic document is received.

The Examiner has rejected claims 8-14 under 35 U.S.C. §103(a) as being unpatentable over Otsuka et al., U.S. Patent No. 6,201,771. (Examiner's Action, page 3, ¶ 3). The Examiner states that Otsuka discloses every element of each of Applicant's rejected claims except that the computer in Otsuka is not disclosed to be a mobile computer. The Examiner also states that mobile computers are well known and that it would be obvious to one skilled in the art that the computer used in Otsuka could be mobile.

Applicant respectfully disagrees.

As previously argued, it would not be obvious to one skilled in the art, or even desirable, to replace the computer of Otsuka with a mobile computer.

Additionally, Applicant has amended independent claim 8 to clarify the separate nature of the mobile computer from the output apparatus and to clarify the roles of each device.

Each of the elements in Applicant's independent claim 8 are components of an output apparatus. Most of these components are clearly not disclosed in the printer recited in Otsuka at col. 14, lines 21-24. Therefore, the Examiner must be considering the entire system of Otsuka, including the computer, to be the output apparatus to meet the requirements of Applicant's independent claim 8.

The Examiner has also suggested that the computer of Otsuka could be replaced by a mobile computer. However, if the computer of Otsuka is both the mobile computer from which an electronic document is accepted and the output apparatus, then Otsuka does not describe Applicant's independent claim 8.

Otsuka does not disclose a point of service terminal separate from the mobile computer, the point of service terminal configured to discover payment account information. Nor does Otsuka disclose a tabulator separate from the mobile computer, the tabulator configured to determine a price for accepting the electronic document and transferring the electronic document to print media.

The Examiner has rejected claims 15-20 under 35 U.S.C. §103(a) as being unpatentable over Otsuka et al., U.S. Patent No. 6,201,771. (Examiner's Action, page 3, ¶ 3). The Examiner states that Otsuka discloses every element of each of Applicant's rejected claims except that the computer in Otsuka is not disclosed to be a mobile computer. The Examiner also states that mobile computers are well known and that it would be obvious to one skilled in the art that the computer used in Otsuka could be mobile.

Applicant respectfully disagrees.

As previously argued, it would not be obvious to one skilled in the art, or even desirable, to replace the computer of Otsuka with a mobile computer.

Additionally, Applicant has amended independent claim 15 to clarify the separate nature of the mobile computer from the output apparatus and to clarify the roles of each device.

As previously argued Otsuka does not disclose either "an output apparatus, separate from the mobile computer, discovering payment account information" or "the output apparatus", which has already been restricted to a device separate from the mobile computer, "determining a price for accepting the electronic document and transferring the electronic document to print media."

Furthermore, the Examiner has suggested that wherein discovering the payment account information includes receiving a transmission including the payment account information, as recited in Applicant's dependent claims 3 is a common practice. However, the Examiner provides no support for this assertion. Certainly, it

is not disclosed in Otsuka, despite the Examiner's reference to Figure 5. The Examiner even suggests that it is not disclosed in Otsuka by the reference "Common Practice" following the Examiner's discussion of Applicant's dependent claim 3. The same argument applies as well to Applicant's dependent claim 10.

In view of Applicant's arguments with respect to independent claims 1, 8, and 15 being allowable over the cited art, Applicant respectfully submits that the remaining dependent claims are also allowable and not anticipated or made obvious because they contain all of the limitations of their respective independent claims and further add structural and functional limitations which, in combination, are not disclosed by the cited art.

The foregoing amendments and arguments are believed to be a complete response to the most recent Examiner's Action.


No new matter has been added.

It is respectfully submitted that there is no claim, teaching, motivation, or suggestion in any of the cited art, alone or in combination, to produce what Applicant claims.

It is further submitted that the application, as amended, defines patentable subject matter and that the claims are in a condition for allowance. Such allowance at an early date is respectfully requested.

Should any issues remain which would preclude the prompt disposition of this case, it is requested that the Examiner contact the undersigned practitioner by telephone.

Respectfully submitted,
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